

Amendments to the Drawings

Eight (8) replacement sheets for Figures 1-8 follow the remarks.

R E M A R K S

Claims 1-7 are pending in this application. In the non-final office action mailed June 29, 2005:

1) Figures 1-6 were objected to under 37 C.F.R. § 1.121(d) and replacements were requested (office action, p. 2, ¶ 2);

2) claim 2 was objected to with respect to an informality ("on the" recited twice) (office action, p. 2, ¶ 3); and

3) claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,347,584 (Narisawa) (office action, pp. 3 and 4).

The claims have been amended, item #2 above has been addressed, and replacement sheets for the figures are also provided. Reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 102(b) (Office Action, pp. 3-4)

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,347,584 (Narisawa). To sustain a rejection based on anticipation under 35 U.S.C. § 102, "the reference must teach every element of the claim." M.P.E.P. § 2131 (8th ed., rev. 2, May 2004), page 2100-73. The M.P.E.P. goes on to state that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," quoting Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The cited reference fails to teach all of the elements of the claims.

As amended, independent claims 1 and 3 require

a tab in the vicinity of the hinge, the tab comprising a portion protruding outwardly from the module and having an orientation generally perpendicular to the peripheral surface, and comprising an upper surface generally coplanar with the lower surface of the module.

Claim 6 recites a nearly-identical structure (substituting "member" for "tab").

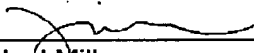
The office action equates the battery connecting means 25a and 25b of Narisawa with the tab 120 of the applicant's device. However, Narisawa's battery connecting means 25a and 25b protrude downwardly, thus not meeting the claimed orientation of the applicant's tab (claims 1, 3, and 6). Further, since the inside of Narisawa's case 21 is not planar in the vicinity of the opening 22, the battery connecting means 25a and 25b would not oppose removal of the panel portion 23 from the case 21, as the battery connecting means 25a and 25b would offer no resistance to this movement (claims 2, 4, and 7). For at least these reasons, the limitations of the independent and dependent claims are not fully met.

Conclusion

The applicant believes that it has responded to all of the issues raised in the office action and submits that all of the pending claims are allowable. Thus, it is respectfully requested that the examiner pass the application to allowance. The examiner is invited to call the undersigned if there are any questions concerning the application.

Dated: September 27, 2005

Respectfully submitted,



Joel Miller

Reg. No. 29,955
17 Westwood Drive South
West Orange, N.J. 07052
(973) 736-8306

Attorney for Applicant(s)